

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David N. Makinson, et al.

Serial No.: 09/450,890

Filed: November 29, 1999

Confirmation No.: 8294

Title: MODULAR METER CONFIGURATION  
AND METHODOLOGY

Group Art Unit: 2829

Examiner: V. Nguyen

Our Customer ID: 22827

Our Account No.: 04-1403

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Commissioner for Patents

Post Office Box 1450

Alexandria, VA 22313-1450

AMENDMENT UNDER 37 CFR § 1.116(b) and REQUISITE TIME EXTENSION PETITION,  
TO CANCEL CLAIMS, FOR ALLOWANCE

This is an Amendment in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is to be treated as the signature to the attachment in absence of a signature thereto.

Fee requirements (if any) have been calculated as shown below:

Claims remaining after amendment	Highest number previously paid for	Present Extra	Additional Fee
Total Effective Claims	<u>58</u>	minus <u>79</u> =	x \$18 =
Independent Claims	<u>5</u>	minus <u>9</u> =	x \$88 =
If amendment enters <u>proper</u> multiple dependent claim(s) into this application for <u>first</u> time, add \$290.00 (per application)			\$
Since Official Action set an <u>original</u> due date of <u>July 19, 2004</u> ,			\$
PETITION is hereby made for an extension to cover the date this response is filed for which the requisite fee is enclosed (1 month \$110; 2 months \$430; 3 months \$980; 4 months \$1530)			\$ 980.00
If Terminal Disclaimer enclosed, add Rule 20(d) Official Fee (\$110.00)			\$
		SUBTOTAL:	\$ 980.00
If "small entity" verified statement filed [ ] previously, [ ] herewith, enter one-half (½) of subtotal and <u>subtract</u>			\$
		TOTAL:	\$ 980.00

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

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ATTORNEYS AT LAW, P.A.  
By: RICHARD M. MOOSE Reg. No.: 31,226 Date: October 18, 2004  
Signature: Richard M. Moose

Date of Transmittal October 18, 2004

I hereby certify under 37 CFR Sections 1.6(d) and 1.8 that this paper and papers attached hereto are being transmitted via facsimile to the Commissioner for Patents, Attention of Examiner Nguyen, at 703-872-9306

CHRISTINE P. STANFIELD

(Typed name of person transmitting paper and/or attachments)

Christine P. StanfieldTotal sheets faxed herewith: 20

ATTORNEY DOCKET NO: SCH-52

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Serial No.: 09/450,890 ) Group Art Unit: 2829  
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**AMENDMENT UNDER 37 CFR SECTION § 1.116(b)**  
**and REQUISITE TIME EXTENSION PETITION,**  
**TO CANCEL CLAIMS, FOR ALLOWANCE**

Honorable Commissioner of Patents  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

### Honorable Commissioner:

This is responsive to the April 19, 2004 Final Rejection for the above-described application. Pursuant to 37 C.F.R. § 1.116(b), Applicants respectfully request entry of the present amendments (to cancel all rejected claims per the Final Rejection), and reconsideration and allowance of the subject application.

## 1.0 AMENDMENTS

**IN THE CLAIMS**

Rejected Claims 16-24, 34-41, and 65-68, inclusive, are canceled herewith, leaving as active claims in this application only allowed claims 1-15, 25-33, 42-64, and 69-79. In accordance with the USPTO's revised format for amendments, a complete listing of all claims

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(marked-up and indicating the status of such claims) appears below. No new matter is believed entered.

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